

FIRST REGULAR SESSION

HOUSE BILL NO. 1073

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCNEIL.

2325H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 208.046, RSMo, and to enact in lieu thereof one new section relating to child care assistance.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 208.046, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 208.046, to read as follows:

208.046. 1. The children's division shall promulgate rules to become effective no later than July 1, [2011] **2016**, to modify the income eligibility criteria for any person receiving state-funded child care assistance under this chapter, either through vouchers or direct reimbursement to child care providers, as follows:

(1) Child care recipients eligible under this chapter and the criteria set forth in 13 CSR 35-32.010 may pay a fee based on adjusted gross income and family size unit based on a child care sliding fee scale established by the children's division, which shall be subject to appropriations. However, a person receiving state-funded child care assistance under this chapter and whose income surpasses the [annual appropriation level] **income eligibility limit** may continue to receive reduced subsidy benefits on [a scale established by the children's division, at which time such person will have assumed the full cost of the maximum base child care subsidy rate established by the children's division and shall be no longer eligible for child care subsidy benefits] **the following scale:**

(a) **For an individual with an adjusted gross household income up to one hundred thirty percent of the federal poverty level, the individual may receive one hundred percent of the child care assistance available;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **(b) For an individual with an adjusted gross household income greater than one**
18 **hundred thirty percent but less than one hundred forty percent of the federal poverty level,**
19 **the individual may receive ninety percent of the child care assistance available;**

20 **(c) For an individual with an adjusted gross household income of one hundred forty**
21 **percent or greater but less than one hundred sixty percent of the federal poverty level, the**
22 **individual may receive seventy-five percent of the child care assistance available;**

23 **(d) For an individual with an adjusted gross household income of one hundred sixty**
24 **percent or greater but less than one hundred eighty percent of the federal poverty level,**
25 **the individual may receive fifty percent of the child care assistance available;**

26 **(e) For an individual with an adjusted gross household income of one hundred**
27 **eighty percent or greater but less than two hundred percent of the federal poverty level,**
28 **the individual may receive twenty-five percent of the child care assistance available; and**

29 **(f) For an individual with an adjusted gross household income of two hundred**
30 **percent or greater of the federal poverty level, the individual shall not be eligible for child**
31 **care assistance;**

32 (2) The sliding scale fee may be waived for children with special needs as established
33 by the division; and

34 (3) The maximum payment by the division shall be the applicable rate minus the
35 applicable fee.

36 2. [For purposes of this section, "annual appropriation level" shall mean the maximum
37 income level to be eligible for a full child care benefit as determined through the annual
38 appropriations process.] **Any individual receiving child care assistance who becomes**
39 **unemployed shall have his or her child care assistance terminated thirty days after the**
40 **individual becomes unemployed. Any individual receiving child care assistance whose**
41 **employment hours are reduced from full-time to part-time as a result of fire or damage to**
42 **the employer's business or as a result of business decline due to civil unrest shall remain**
43 **eligible for child care assistance for a period of thirty days.**

44 3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
45 under the authority delegated in this section shall become effective only if it complies with and
46 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
47 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
48 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule
49 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
50 proposed or adopted after August 28, 2010, shall be invalid and void.

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